

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

OZBURN-HESSEY LOGISTICS, LLC,     )  
in its capacity as Administrator of the     )  
Ozburn-Hessey Logistics, LLC Health     )  
Benefit Plan,     )

Plaintiff,     )

v.     )

EDEN SURGICAL CENTER, a California     )  
Medical Corporation,     )

Defendant.     )

CASE NO. 3:10-0228  
JUDGE HAYNES

**ORDER**

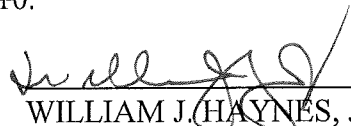
Upon the stipulation of dismissal (Docket Entry No. 41) and pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, this action is hereby **DISMISSED with prejudice**.

Each party shall bear its own costs.

This is the Final Order in this action.

It is so **ORDERED**.

**ENTERED** this the 3<sup>rd</sup> day of January, 2011.  
~~December 2010.~~

  
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WILLIAM J. HAYNES, JR.  
United States District Judge